

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STEVEN MANNEY and JOSEPH
LEONARDO, as assignees of Bassline
Digital Inc.,

Plaintiff,

- against -

RALF REICHERT and INTERGROOVE
U.S., INC.,

Defendants.
-----X

JUDGMENT
CV-13-4413 (SJF)(GRB)

**FILED
CLERK**

9/29/2014 4:58 pm

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

An Opinion and Order of Honorable Sandra J. Feuerstein, United States District Judge, having been filed on March 28, 2014, dismissing plaintiffs' claims against Intergroove U.S. without prejudice for misjoinder pursuant to Rule 21 of the Federal Rules of Civil Procedure, and denying plaintiffs' motions to (a) remand this action to the state court, (b) strike Reichert's motions to dismiss, and (c) reply to their opposition to his motion to dismiss; and an Opinion and Order of Honorable Sandra J. Feuerstein having been filed on September 26, 2014, denying plaintiffs' motion to amend the complaint; granting plaintiffs' motion for reconsideration of the March 28, 2014 Order, but adhering to its determination (a) dismissing plaintiffs' claims against Intergroove U.S. without prejudice, and (b) denying plaintiffs' motion for remand to the state court; granting the branch of defendant Reichert's motion to dismiss plaintiffs' claims against him pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and dismissing plaintiffs' claims against Reichert in their entirety with prejudice for failure to state a claim for relief; denying as moot the branch of Reichert's motion seeking (a) dismissal pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure for improper venue, and (b) dismissal of the complaint on the basis of *forum non conveniens*; and directing the Clerk of Court to enter judgment accordingly and to close this case, it is

ORDERED AND ADJUDGED that plaintiffs take nothing of defendants; that plaintiffs' motion to amend the complaint is denied; that plaintiffs' claims against Intergroove U.S. are dismissed without prejudice; that plaintiffs' motion for remand to the state court is denied; that the branch of defendant Reichert's motion to dismiss plaintiffs' claims against him pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure is granted; that plaintiffs' claims against Reichert are dismissed in their entirety with prejudice for failure to state a claim

for relief; that the branch of Reichert's motion seeking (a) dismissal pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure for improper venue, and (b) dismissal of the complaint on the basis of *forum non conveniens*, is denied as moot; and that this case is hereby closed.

Dated: Central Islip, New York
September 29, 2014

DOUGLAS C. PALMER
CLERK OF THE COURT

By: /s/ Catherine Vukovich
Deputy Clerk